

Paula L. Durst
304.340.3834
pdurst@spilmanlaw.com

August 28, 2015

The Honorable John T. Copenhaver, Jr.
6009 Robert C. Byrd United States Courthouse
300 Virginia Street East
Charleston, West Virginia 25301

Re: U.S.A. v. E. I. du Pont de Nemours and Company, Civil Action No. 2:14-25143

Dear Judge Copenhaver:

As the Court is aware, during a hearing before the Court in the above-referenced matter on Friday, August 14, 2015, the Court requested that Defendant, E. I. du Pont de Nemours and Company (“DuPont”), submit additional documentation relevant to DuPont’s compliance with the obligations imposed under the Consent Decree executed by the United States and DuPont in the above-captioned action (the “Consent Decree”). In response to the Court’s request during the hearing, Counsel for DuPont indicated that DuPont would undertake to secure and file the additional documentation requested by the Court by August 28, 2015. However, DuPont’s counsel also acknowledged that the schedule for DuPont’s response depended on the availability of critical management personnel, not only for DuPont, but also for the independent company that acquired the relevant property from DuPont, The Chemours Company FC, LLC (“Chemours”).

Following the hearing, DuPont promptly initiated efforts to compile the information requested by the Court. Although significant progress has been made to secure the additional documentation, DuPont hereby informs the Court that DuPont requires additional time to finalize and secure execution by both DuPont and Chemours of the additional documentation. Because of a number of preexisting scheduling conflicts among relevant management and legal personnel at both DuPont and Chemours, DuPont could not complete the requisite review and secure necessary approvals of the requested documentation by August 28. By way of example, one DuPont official, critical to the review and approval of the additional documentation, is on a previously-scheduled vacation at a national park and is virtually inaccessible to email and telephone.

Based upon these preexisting scheduling conflicts, DuPont anticipates that it will succeed in finalizing and filing the requested documentation on or before September 11, 2015. DuPont regrets this delay in providing the requested information to the Court, but assures the Court that it is undertaking all available actions to address the Court’s questions as promptly as possible.

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DuPont appreciates the Court's patience in this matter. DuPont's Counsel will make itself available to Your Honor to address any additional questions or concerns that the Court may have.

Respectfully,

Paula L. Durst

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cc: Cara M. Mroczek, Esquire
Gary L. Call, Esquire
Bart Cassidy, Esquire
Michael Dillon, Esquire